Dissolving Concepts of the Presidency
The President: Office and Powers by Edward S. Corwin; The American Presidency by Clinton Rossiter; Presidential Power: The Politics of Leadership by Richard Neustadt; The Imperial Presidency by Arthur Schlesinger,
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56. Albert Wohlstetter, "The Delicate Balance of Terror," *Foreign Affairs* (January 1959), reprinted in Philip Mosely, ed., *The Soviet Union* 1922-1962 (New York, Frederick A. Praeger, Publishers, 1963), p. 389.
57. Jacquelyn Davis, Christopher Lehman, Nils Wessell, *SALT II and the Search for Strategic Equivalence,* Monograph Series Number 19 (Philadelphia, Foreign Policy Research Institute, 1974), discusses this point, pp. 48-49.
58. Glenn Snyder, *Deterrence and Defense: Toward a Theory of National Security* (Princeton, Princeton University Press, 1961).
59. Schlesinger, *U.S. – U.S.S.R. Strategic Policies,* p. 41.
60. A Report by President Richard Nixon to the Congress February 25, 1971, published under the title, *United States Foreign Policy for the 1970s* (New York, Harper and Row, Publishers, 1971), pp. 138-139.
61. Two initial Soviet writings on the targeting doctrine are, G.A. Arbatov, "The American Strategic Debate: A Soviet View," reprinted in *Survival,* Vol. XVI, No. 3 (May/June 1974), and, General-Lieutenant M.A. Mil'shteyn and Colonel L.S. Semeyko, "The Problem of the inadmissibility of a Nuclear Conflict (On New Approaches in the United States)," reprinted in *Strategic Review,* Vol. III, No. 2 (Spring 1975).
62. Roger Fisher, *International Conflicts for Beginners* (New York, Harper and Row, Publishers, 1969).
63. Quoted in William Kaufmann, *The McNamara Strategy* (New York, Harper and Row, Publishers, 1964), pp. 116-117.
64. For further discussion of counterforce doctrine see, Peter Wagstaff, "An Analysis of the Cities-Avoidance Theory," *Stanford Journal of International Studies,* Vol. VII (Spring, 1973), and Harlan Moulton, *From Superiority to Parity* (Westport, Conn., Greenwood Press, Inc., 1973).
65. "The 'New' Strategic Debate," in *Strategic Survey 1974,* p. 66, discusses the study.
66. James Roherty, *Decisions of Robert S. McNamara, A Study of the Role of the Secretary of Defense* (Coral Gables, Florida, University of Miami Press, 1970). Roherty also has an article which complements his book, "The Office of the Secretary of Defense: The Laird and McNamara Styles," in John Lovell and Philip Kronenberg, eds., *New Civil-Military Relations: The Agonies of Adjustment to Post-Vietnam Realities* (New Brunswick, N.J., Transation Books, 1974).
67. Two articles which discuss "high politics" and "low politics" are, John Weltman, "On the Obsolescence of War: An Essay in Politics and Theory," *International Studies Quarterly,* Vol. 18, No. 4 (December 1974), and, Colin Gray, "Foreign Policy and the Strategic Balance," *Orbis,* Vol. XVIII, No. 3 (Fall 1974).

# BOOK SHELF

## DISSOLVING CONCEPTS OF THE PRESIDENCY

(reprinted with revisions from the *Political Science Reviewer,* IV (Fall, 1974) 133-168)

*The President: Office and Powers.* By Edward S. Corwin. (4th rev. ed.; New York: New York University, 1957). Pp. 519. $10.00.

*The American Presidency.* by Clinton Rossiter. (rev. ed.; New York: Mentor, 1960). Pp. 270. $0.95. Paper.

*Presidential Power: The Politics of Leadership.* By Richard Neustadt. (New York: Wiley, 1968). Pp. 244. $3.50. Paper.

*The Imperial Presidency.* By Arthur Schlesinger, Jr. (Boston: Houghton Mifflin, 1973). Pp. 505. $10.00.

In 1969 Daniel Moynihan, then the President-elect's adviser on urban affairs, warned Mr. Nixon that "in one form or another all of the major domestic problems facing you derive from an erosion of the authority of the institutions of American society."[1] The passage of time has brought this erosion to the Presidency with popular writings, such as the *Twilight of the Presidency,* that vilify the institution in the name of a self-fulfilling prophecy, "that which can be befouled deserves its fate."[2] Academic writings have increasingly specialized in the constituent parts of the Presidency and the Executive branch (*e.g.,* the White House staff or the Presidential advisory system) at the risk of losing sight of the forest for the trees.

The currents of vilification and specialization suggest the utility of reflection on three comprehensive classics of enduring interest that are reputed to be definitive, reliable, authoritative, and standard.[3] A concluding section appraises Schlesinger's more topical criticisms of the recent Presidency. The works under review discuss the public law of the Presidency as well as its less formal role and power in our political system, usual-

ly with the purpose of determining whether Presidential power should be increased, stabilized, or reduced. In what follows I shall deal primarily with these aspects of the Presidency while simultaneously focusing on the authors' justifications for their approach and the values, explicit and implicit, which undergird their recommendations for change or "reform." In this endeavor I have availed myself of the authors' other writings which bear upon my principal concerns.

Presidential studies traditionally have attempted to enlighten the citizens and those who advise them. It would be entirely in keeping with this tradition to place on the current agenda a re-theorization illuminating the Presidency's relationship to the regime's central values, rather than solely "mopping up" within accepted paradigms or creating new, more formalized, "scientific" paradigms.[4] Public law, it will be argued below, encourages such a pondering of the Presidency's relationship to the regime's central values. The roles and power approaches, though useful in their distinctive ways, superficially explore the larger telic context of Presidential power; and Schlesinger's work lacks depth and breadth, which renders it little more than a holding action of the strong Presidency persuasion.

## I

Corwin's Ph.D. dissertation, *French Foreign Policy and the American Alliance of 1788,* foreshadowed a life-long interest in international politics that accompanied his perhaps better known writings on the Constitution and the Supreme Court.[5] His eminence as a constitutional scholar is attested by his being the only non-lawyer among the ten legal writers cited most frequently by the United States Supreme Court over thirty-two years.[6] He published sixty-two articles in legal and professional journals, twenty-three in journals of opinion and periodicals, and wrote eighteen books as sole author, two as co-author in addition to editing the 1953 annotated *Constitution of the United States.*[7] In 1935 he served as constitutional adviser to the Public Works Administration, in 1936 as special assistant and in 1937 as constitutional consultant to the Attorney General. Corwin's biography, which he reviewed before publication, stated that "in politics he is an independent," a point to which we shall return later.[8]

This interpreter of the Constitution of American democracy appears to have published only one piece whose title either hints at a thematic discussion of democracy or even mentions the word.[9] "The Democratic Dogma and the Future of Political Science" is one of his major methodological writings and, hence, a fitting introduction to his Presidency studies. He proposed that the telic or normative dimension of modern political science is the "belated offspring of eighteenth century rationalism, and has taken all its ideals from that source."[10] Modern American political science is democratic in spite of its unexamined commitment to the "democratic dogma": the "doctrine that the people should rule" because "men act on reason."[11] Corwin concluded that "the primary task of political science is today one of popular education and that therefore it must still retain its character as a 'normative,' a 'telic' science."[12] This understanding of political science implied that Corwin's constitutional scholarship would also deal with normative or telic questions.

One searches the titles of his books and articles in vain, however, for frequent normative expressions. He published a total of seven writings, including the article mentioned above, whose titles signal a thematic concern with normative questions, which leads one to wonder how his constitutional scholarship expressed his understanding of political science and yet rarely used normative language to describe its themes.[13] Corwin's constitutional scholarship was normative in ultimate intention, but set out for the destination from a concrete constitutional controversy. A thorough grasp of a constitutional controversy clarifies the importance of understanding political principles, and in this sense public law is a prologue to political theory. Corwin's scholarship was not only normative but also retrospective: "if the historian is to be wise *quâ* historian, it must be after the event."[14]

A number of Corwin's writings indirectly refer to the Presidency, such as the *Twilight of the Supreme Court,* which arbitrates the dispute over a " 'government of laws' "

versus a " 'government of men'—in other words, 'executive power'."[15] *Liberty Against Government* traced the rise, flowering, and decline of a concept often invoked against the enlargement of Executive power.[16] Robert Newton has defined Corwin's primary interest as,

> those aspects of constitutional law that deal with the respective powers of the President and Congress in matters of diplomacy and war, and the constitutional implications of United States participation in international organizations.[17]

Corwin stated the central problem somewhat more broadly than Newton has implied. In "Our Constitutional Revolution and How to Round it Out," Corwin argued that Constitutional provisons delineate the structures of the national government, define its powers, and affirm certain individual rights as against the powers of the national government.[18] The concept of individual rights, omitted by Newton, guided Corwin's investigation of the powers and structures of the national government, especially of the Presidency. Corwin discerned a "revolutionary reversal of constitutional values" in which "the Presidency has reached a position of unhealthy dominance in the system" because he compared Presidential power to an explicit standard of political health, the notion of individual rights against the national government.[19] Space considerations prevent us from tackling the very complex pros and cons of Corwin's standard of political health; it suffices to note how he opposed obscurantism concerning the most important questions.

Corwin's treatise proposed to show the "reciprocal interplay of human character and legal concepts" in the "development and contemporary status of presidential power and of the presidential office under the Constitution" (vii-viii). He describes his approach as "partly historical, partly analytical and critical." Two introductory chapters sketch conceptions of the office, eligibility, election, tenure, disability, and impeachment, while the remaining chapters deal with the President as administrator, chief executive, organ of foreign relations, Commander-in-Chief in war time, and legislative leader and 'institution.' The order implicit in the subject matter requires a discussion of legislative leadership before foreign relations and war; Corwin instead presented the problem of Presidential power in his first six chapters and his remedy in his final chapter on legislative leadership, a procedure that subordinated the scientific unfolding of his material to the dramatic requirements of popular education.

Corwin's thesis has a descriptive and a critical dimension. Executive power is a "term of uncertain content," an "indefinite residuum" of methods peculiarly apt for dealing with emergency conditions that lack sufficient "stability or recurrency" to permit their being dealt with under a rule of law (3). The determination of Executive power under Article II therefore leaves "considerable leeway for the future play of political forces" (3-4). The Constitution accordingly "reflects the struggle between two conceptions of Executive power: that it ought always to be subordinate to the supreme legislative power, and that it ought to be, within generous limits, autonomous and self-directing" (307). "On the whole" the autonomous and self-directing Presidency has triumphed. The history of the Presidency is a "cyclical" or discontinuous aggrandizement in which Congress preponderated from 1809 to 1829, from 1865 to 1885 and with exceptions, to the death of McKinley (29, 307, 309). "Not more than one in three" Presidents enlarged Presidential powers; under other incumbents Presidential power either stabilized or receded: "what the presidency is at any particular moment depends in important measure on who is President" (30). Corwin identified the architects of the "great accession to presidential power in recent decades" as Theodore Roosevelt, Woodrow Wilson and, above all, "the second Roosevelt who beyond all twentieth-century presidents put the stamp both of *personality* and *crisis* on the presidency" (italics in the original, 310-311).

Unlike some critics of the Presidency, Corwin avoided sliding into the role of unreflective defender of Congress. Those who minimize the Presidential contribution to legislation overlook, said Corwin, "that in our crisis-driven world time is often of the essence," that the President has a superior vantage point from which to espy impending

crisis and that he can organize the votes necessary for the passage of crucial measures (486, n.76). Corwin tried to distinguish his position from that of a hypothetical historically-minded Congressman who asserts that impeachment, the power of the purse, the power to declare war, and the treaty power have all been weakened or made empty formalities even as the propaganda advantages of the President have increased. These assertions are not necessarily false, but are "overdrawn in some . . . details." (293).

Corwin's text holds that the "outcome of [Andrew] Johnson's trial . . . makes the episode of slight value as a precedent," while his notes praise former Supreme Court Justice Benjamin Curtis, one of Johnson's counsel, who stated "with great acuteness" the definition of an impeachable offense: treason, bribery, and high crimes and misdemeanors "so high that they belong in this company with treason and bribery" (65, 352-353, n. 68). Corwin's understanding of impeachment thus differs from what one may call an early Jerry Ford position (legislative will) or positions that deny any essential difference in criteria of impeachment for federal judges and Executive officers. The realization of Framer James Wilson's hope that impeachment would "seldom" be used "is partly due to the fact that Presidents have in the past kept pretty clear of courses that might make people think seriously of so extreme a discipline"[20] (293).

Corwin spoke somewhat loosely of the "potential" power of the purse while omitting the power to declare war as a check on Presidential adventuring and gambles (293-294). Indeed, "our four great wars—all great for their results, three of them great for the effort they required of the country—were the outcome of presidential policies in the making of which Congress played a distinctly secondary role" (204). The use of executive agreements and other Congressional powers has attenuated the Senate's power to veto, conditionally or unconditionally, treaties (211-217). The rebuttal to the hypothetical Congressman's objections demonstrates that although they are "overdrawn," they are far from misleading.

Corwin's work culminates in a statement of the phases, trends, and stimuli of Presidential power. "American constitutional law and theory" identified five factors producing the contemporary Presidency: 1) acceptance of the "idea that government should be active and reformist," "especially in matters affecting the material welfare of the great masses of the people" (294, 311); 2) the breakdown of dual federalism in Congressional legislative power; 3) the breakdown of separation of powers defining the relation of President and Congress in lawmaking; 4) the breakdown of the prohibition against delegated legislative powers; 5) the impact of two world wars and the "vastly enlarged" United States role in international politics upon the President as Commander-in-chief and organ of foreign relations (311-312). He omits the importance of the various factors, but we can easily trace the implications of his argument. The "change in popular outlook regarding the purpose and scope of governmental power" is "even more fundamental" than the collapse of dual federalism and separation of powers, the "two great structural principles of the American Constitutional System" (310). If popular government means majority rule, then "all the developments named above are the direct consequence of democracy's emergence from the constitutional chrysalis" (312). Not Presidential leadership as such but the "change in popular outlook regarding the purpose and scope of governmental power" can be blamed for intrusions on private and personal rights.

Corwin saw a "novelty" in the size, permanency, and voting strength of the groups served by the New Deal and a theoretical advance as well (277, 311). In 1934 he wrote that "Locke's (Second) *Treatise on Civil Government,* chap. v, was perhaps the most important source of the ideas of 'the Founding Fathers' regarding property."[21] The doctrines of vested rights and due process of law, which had blended Lockeanism into the American political tradition, were "irrelevant . . . to the solution of the question of governmental power raised by the New Deal."[22] That the ideas of property behind the doctrines of vested rights and due process of law "once represented valid hypotheses of constitutional interpretation need not be disputed—the point is that modern conditions subordinate them to an

entirely different set of ideas," notably those of John Dewey, a critic of natural rights.[23] Omitting for some reason Locke's comprehensive definition of property as lives, liberties, and estates. Corwin held that Locke's notion of property "embraced 'only such outward things as money, lands, houses, furniture and the like.' "[24] "The property which Locke had in mind . . . did not comprise anything closely analogous to modern investment capital."[25] The New Deal, said Corwin, subordinates wealth to the "social process" and "political democracy."[26] The New Deal is an era "whose primary demand upon government is no longer the protection of rights but the assurance of security."[27]

The New Deal impressed Corwin as a profound break with the Lockeanism of the American political tradition. Perhaps, as Morton Frisch has suggested, it is more accurate to describe the New Deal as both a break and an extension of the earlier Lockeanism:

> The specific New Deal thesis was that the government has the responsibility to provide not merely for the *conditions* of happiness (that's the Lockeanism implicit in the American Founding), but for something approaching happiness itself or what we may call well-being or welfare. . . . FDR transcended some of the limitations of liberal democracy and even enlarged its horizons. . . . But FDR did not realize that, in constantly seeking to strengthen economic equality, the human personality could not in fact become submerged in the interest of a better regulated economic life with its emphasis on health, welfare and freedom from want. FDR may not have foreseen it, but the humane passion for welfarism could result in what Tocqueville has referred to as a soft despotism. This is perhaps the greatest difficulty underlying the New Deal.[28]

Both the New Deal and the Lockean tradition of property rights understood happiness along material lines, with the important difference that the New Deal broadened the older materialism. The tension between liberty and security, which Corwin saw as the offspring of the New Deal, may have been inherent in the natural rights concept because of its materialistic bent. The specific contribution of the New Deal may have been in making that tension evident.

Corwin gave at least two diagnoses of how enlarged expectations of government and of the Executive affected liberty. He asked if the Constitution is "on the way out?" This question,

> is capable of being put seriously and is deserving of a serious answer. Its evident reference is to the Websterian conception of a "Constitution of Rights," featured especially by an elaboration of checks and balances. Obviously, this conception of the Constitution is not only on the way out—it *is* out.[29]

Yet speaking of values underlying the Constitution of Rights, he was "reluctant to see extruded from the Constitution . . . the most important, the most ancient one . . . the idea that there are rights of the individual which are anterior to government and set a limit to its just powers."[20] His first formulation concluded that the Constitution of Rights "is out"; his second formulation concluded that the "most important" value underlying a Constitution of Rights was not "out."

The complexity of Corwin's position on the idea of individual rights relates to his response to the constitutional revolution in 1937. He favored effective policy and limited government while opposing comprehensive judicial restraints on the government. After 1937 he sought new political means of coping with an increasingly less limited government, especially the Presidency and the Executive. In *Yakus* v. U.S. 321 U.S. 414 (1944), for example, the Supreme Court endorsed the withdrawal from persons prosecuted for violation of the Emergency Price Control Act of the right to plead the unconstitutionality of the act or of the orders issued under its supposed authorization.[31] How, Corwin asked, can it be demanded that the Executive be kept permanently alerted for emergency action and yet be permanently chained within law devised for normal times?[32] "The simplest answer is that this cannot be demanded."

Corwin urged basing all reforms of the Presidency on consensus, compromise, and moderation and keeping the legislature active in meeting crises.[33] His concrete proposals relied upon the political branches

and popular education: the Congressional power of the purse; a Cabinet including Congressmen; and the disqualification of the President from succeeding himself.[34] The development of the Institutionalized Presidency, said Corwin, "may have relegated my [Cabinet] proposal . . . to the limbo of happy untried ideas–happy, perhaps, because untried" (312). None of Corwin's solutions performs the "characteristic judicial duty of adjusting the universal and eternal to the local and contingent, the here and now."[35] And, as he predicted in 1941, the Supreme Court withdrew from the important economic policy field to the limited area of the First Amendment.[36] Accordingly, the idea of individual rights against the national government no longer comprehensively limited the political branches. The idea of individual rights against the national government was "in," however, as far as constitutional commentators compensated for the Supreme Court in adjusting the "universal and eternal" to the "here and now."

Towards the end of his life Corwin rejected Mr. Justice Holmes' criticism of natural rights and spoke of the "debt" of American constitutional law to natural law or natural rights concepts.[37] This criticism, though not executed in any detail, nevertheless marked an important step towards reassessing liberty against government and the entire theoretical superstructure of the New Deal Presidency. It would be an oversimplification to say that Corwin simply challenged Presidential power with the thesis of liberty against government. Corwin was, indeed, in common with John Locke a teacher of liberty; also in common with Locke, he attended to the conditions of the responsible use of liberty, the most important of which for most people was religious instruction. Corwin opposed the secularization of American education to the extent that this would be encouraged or required by Supreme Court decisions against religious instruction in public schools. "Finally," he said of *McCollum* v. *Board of Education* 333 U.S. 203 (1948):

> this question may be asked: Is the decision favorable to democracy? Primarily democracy is a system of ethical values, and that this system of values so far as the American people are concerned is grounded in religion will not be denied by anybody who knows the historical record.[38]

Corwin thus favored both Presidential and popular responsibility as conditions of liberty; his inquiry into popular responsibility took him from institutional solutions to the molding of character. He found plausible Tocqueville's argument that Americans more ardently pursue equality than liberty, which raised the possibility of liberty being inexorably crowded to the wall.[39]

Since Corwin's death some of his other writings have appeared in revised editions, which sets a precedent for a fifth edition of his work on the Presidency. The fifth edition might usefully discuss the various understandings of Presidential power in a more complete and prominent manner than the fourth edition (495, n. 106); the soundness of Corwin's fundamental distinction between Politics and Administration, between determining *what* government ought to do and *how* it should do it" (296); the merits of the 25th Amendment as a method of Presidential removal; and the extent to which the War Powers Act of 1973 may inhibit the President as Commander-in-Chief. A bibliography, especially if it is brought up to date, might make the learning behind Corwin's work more accessible to students of the Presidency. The text and Table of Cases should reflect the revised annotated *Constitution* (1972) and major Supreme Court decisions since then; important issues, such as the evidence of an impeachable offense, must go "up" from the notes into the text.

Corwin's work belongs to the public law approach to the Presidency, which was somewhat neglected until the war powers and impeachment issues rekindled interest in the bounds of Presidential power. Four objections to public law can be considered in the context of Corwin's work. First, the public law approach is rejected as "static" analysis. In rebuttal, four editions of the *President: Office and Powers* appeared in less than twenty years; the preface of the last edition cautioned the reader that "the reasons that made necessary this new edition . . . continue to operate." (ix). Corwin

scorned the "rigidly conceptualistic constitutional law" of the *laissez-faire* period and included in successive editions "all that had happened to the Presidency since 1940, particularly at the hands of Roosevelt II" (vii, 263). His conception of constitutional law rested on a deep awareness of events that invoked Executive response in the absence of and sometimes against a rule of law.

Second, the public law approach allegedly ignores informal sources of power and yields a merely formal analysis of authority.[40] In rebuttal, Corwin traced Presidential prerogative, power claimed primarily on the basis of the Constitution itself, to personality, public necessity as judged by the President, and "available constitutional doctrine."[41] Corwin thus related authority or the title to act to the incumbent's capacity to act in crises. He noticed informal sources of power without systematizing his insights, and the lack of systemization may be the price of his emphasis upon long run shifts in the operative meaning of the Constitution.

Third, it may be argued that Corwin's criticism of Presidential power derived from a suspicion of governmental power as such, an objection which his own words solidly support. In 1951 he announced that:

> I agree with Miss Barbara Ward when she says: "Distrust of government is probably the soundest instinct of western society, doubly sound in a century which within forty years has produced a Hilter, a Mussolini and a Stalin."[42]

Corwin limited his distrust of goverment by accepting the dictum that no government could subsist "where men could not be trusted with power because they might abuse it."[43]

A final objection is that Corwin's evaluation of Presidential power reflected his partisanship. He actively supported the 1937 Court packing plan and opposed the Bricker Amendment's restrictions on the President's treaty making powers, which led one eulogist to note that "the reluctance that restrains most scholars in speaking out on public issues never restrained Corwin!"[44] One commentator charged that,

> Corwin's constitutional theory . . . closely followed his political preferences. While a Protégé of "strong" President Wilson and a supporter of "strong" President Roosevelt, he argued the theoretical virtue of a strong Presidency. When he broke with Roosevelt, he discarded that view, returning to it only after Roosevelt was cold in his grave.[45]

The commentator identifies "political preferences" with "partisan political bias," so that his charge is really that Corwin's "partisan political bias" dictated his constitutional theory on the merits of a strong Presidency.[46]

In politics Corwin labelled himself as an "independent," which he distinguished from indifference to or neutrality on the great issues of his times. Constitutional analysis, properly understood, was a form of policy analysis:

> The disposition of us Americans . . . is to put all of our reliance upon constitutional limitations. This propensity has not always produced the most happy results. It has rendered us, as a people, the most litigious on earth; it has cumbered our judicial processes with obstacles and delays that defeat the very object of these processes; it has substituted in our legislative chambers only too often for the question, "Is it good?" the question, "Is it constitutional?"[47]

The question, "Is it good;" enters American constitutional law, which is "far from being a closed system, [and] often bristles with alternatives" (vii). The existence of alternative rules and interpretations requires the constitutional analyst to discuss "which of two or more available theories of the Constitution is to be preferred on grounds of policy."

The evidence supporting charges of Corwin's partisanship is uneven in quality or can be explained on other grounds. A hearsay report, for example, relates his frustrated ambition to be appointed by F.D.R. to the Supreme Court, which, presumably, led Corwin to support Wendell Wilkie in 1940.[48] Corwin also made certain texual changes in his major work on the Presidency and shifted positions in other writings as

well. In 1934 he recommended a joint legislative-executive Cabinet in order to augment Presidential influence over Congress; in 1941 he said that this same Cabinet would "bring presidential whim under independent scrutiny which today is lacking."[49] Now this shift of position may be accepted as proof of Corwin's partisanship or of his growing alarm at the uncritical acceptance of the "Leadership principle" and cult of Presidential personality in the United States.(252)

His second edition noted that,

> while Democracy implies leadership, it also implies criticism of that leadership, criticism outspoken and unremitting. Leadership without criticism is the very definition of totalitarianism.[50]

The first three editions concluded that "as matters stand today, presidential power is dangerously *personalized.*"[51] His last edition more moderately concluded that "as matters have stood till the other day, presidential power has been at times dangerously *personalized,*"(italics in the orginal, 312). Had Corwin "returned" to supporting the theoretical virtue of a strong Presidency after Roosevelt's death? That the condition of the Presidency under Eisenhower "leave[s] private and personal rights in the same strong position as they once enjoyed would be quite impossible to maintain" (312). Recent Presidents, "particularly . . . President Eisenhower," had tried to govern by " conference and consensus," and so had reduced the dependence of national government on the unstable whims of one personality. Corwin maintained his position on the cost of the strong Presidency while noting Eisenhower's attempt to ameliorate one of its most dangerous features.

One of the most thorough studies of Corwin labelled him a "moderate whig" towards Presidential power before and after the constitutional revolution of 1937.[52] In Halifax's term Corwin was a "trimmer" who avoided endangering the passengers by keeping the boat on an even keel.[53] Neither a simplistic partisan nor a neutral, Corwin was a mediator towards Presidential power. Of the four objections to public law, only the objection to his suspicion of governmental power is sound.

Some advantages of the public law approach may be stated in briefest compass. The generality of Article II requires a searching of the Federal Convention records, the *Federalist,* state ratifying conventions, and subsequent opinion and practice; the public law approach is based upon direct examination of original source materials, and its contentions are open to review and "falsifiable." Public law critically compares the constitution of liberal democracy as it ought to be with liberal democracy as it is.[54] Tocqueville observed that the lawyers' instinctive regard for the regular connection of ideas tends to mitigate the tryranny of the majority; public law commentators may similarly brake and refine majoritarian passions by holding aloft a standard of public deliberation.

## II

As Corwin's student at Princeton Clinton Rossiter wrote a comparative dissertation on Executive power in crises later published as *Constitutional Dictatorship.* Corwin observed that,

> Professor Rossiter, whose work on *The American Presidency* became a classic on publication, teaches . . . that the presidency is pervaded with a principle of meliorism that guarantees that it will always be just right. (495, n. 106)

In contrast to Corwin's stance as a political independent, Rossiter reportedly described himself as a Stevenson Democrat.[55]

A high proportion of Rossiter's numerous books[56] treated aspects of American political thought and the Constitution, which enabled him to see more clearly than specialist writers that,

> the struggle over the powers of the Presidency . . . is only a secondary campaign in a political war . . . over the future of America. Few men get heated up over the Presidency alone. Their arguments over its powers are really arguments over the American way of life and the direction in which it is moving. (247)

The political practice of the Presidency needs a political theory. For Rossiter, then, the solution to the question of Presidential power requires an adequate understanding of the theoretical basis of the "American way

of life." Whether Rossiter or his theoretical authority supplied such an understanding is a point to which we shall return.

Rossiter proposed to "confirm Bright's splendid judgment by presenting the American Presidency as . . . one of the few truly successful institutions created by men in their endless quest for the blessings of free government" (13). Rossiter's thesis describes the varieties and future of Presidential activity and offers a prescriptive diagnosis as well. His "impressionistic rendering" of the President's major "tasks," "roles" or "functions," terms used interchangeably, shows the additions to the President's strictly Constitutional activities as Chief of State, Chief Executive, Commander-in-Chief, Chief Diplomat, and Chief Legislator: Chief of Party, Popular Voice, Protector of the Peace, Manager of Prosperity, and World Leader or, more precisely, President of the West. A usual objection to Rossiter's role analysis is that he treats the President as performing one role at a time.[57] In Rossiter's defense, he safeguarded himself in writing that the Presidency is a "seamless unity":

> The President is not one kind of official during one part of the day, another kind during another part—administrator in the morning, legislator at lunch, king in the afternoon, commander before dinner, politician at odd moments that come his weary way. He is all these things all the time, and any one of his functions feeds upon and into the others. (38)

Rossiter leaves more or less implicit the character of the adhesive binding all of these roles together. He does, however, praise F.D.R. for "genius" in bringing "politics to the support of policy" (144). It may be, of course, that Rossiter too hastily abandoned this important subject.

A second aspect of Rossiter's thesis concerned the future of Presidential power. Concluding that "the outstanding feature of American constitutional development has been the growth of the power and prestige of the Presidency," Rossiter deduced the future of the Presidency from its past: "in the face of history, it seems hard to deny the inevitability of the upward course of the Presidency" (79). Presidential power, in short, will increase. Rossiter must demonstrate that the Presidency avoids "too much power . . . [and] too much independence" in order to reconcile the "upward course of the Presidency" and "free government" (43). This demonstration requires him to show the adequacy of restraints upon the President. Public opinion as expressed by pressure groups is "over the long run . . . [the] most effective check upon the President," and it "works most effectively" when it is felt through "other restraints," such as Congress (64-65).

Just how effective is Congress as a restraint? Congress, said Rossiter, is "the most reliable single limitation upon the American Presidency" (52). Yet, he added, "the long run decline of Congress has contributed greatly to the rise of the Presidency," and even the Eisenhower Presidency "cuts deeply into the powers of Congress" (77, 82). In Rossiter's judgment Congress itself may need restraining: "there is evidence to support the contention that Congress has roamed farther out of bounds than the President in the past few years" (242). He concludes that Congress needs *"external, [i.e.,* Presidential] leadership" (italics in original, 26). The upshot of Rossiter's argument: public opinion is the "most effective" long run check on the President; public opinion works "most effectively" in combination with other restraints, the "most reliable" of which is Congress. But Congress has suffered a "long run decline" that "contributed greatly to the rise of the Presidency."

The baffled reader trying to sort out these matters will gather the drift of Rossiter's argument from his closing pages: "The more Congress becomes . . . 'a confused and scuffling bustle of local agency,' the more the Presidency must become a clear beacon of national purpose" (250). "In the end, of course, the checks that hold the President in line are internal rather than external," and include his "conscience and training" (66). Given the weakness of Congress, not only "in the end" but essentially, Rossiter depends upon a President "raised in the American tradition" who respects moral restraints and who acts in ways that "at least do not outrage the accepted dictates of constitutionalism, democracy, personal liberty, and Christian morality" (66). "The power of the Presidency moves as a mighty

host only *with* the grain of liberty and morality" (italics in the orginal 250).

"In the end" the moral limits upon Presidential power can be no more authoritative than their source, which takes us to the adequacy of Rossiter's account of the theoretical basis of the American way of life. As noted earlier, he advised in 1960 that the more Congress declined, "the more the Presidency must become a clear beacon of national purpose" (250). Writing the same year in a volume of essays entitled *The National Purpose,* Rossiter observed that the United States in its youth had a "profound sense of purpose, [*i.e.* "testament to freedom ... personal liberty and popular government"], which we lost over the years of our rise to glory."[58] No return was possible through "commentaries on the Great Books" to an earlier understanding of the national purpose.[59] Although he wrote that,

> no belief has had more meaning for American democracy and Western civilization than the enlightened assumption that all men are created equal and that what they are equal in is freedom,

Rossiter taught his students that American political thought was an ideology, which he defined as faith or philosophy used as accessory after the fact or specious justification.[60]

Rossiter's presentation of American political thought rested upon the theoretical framework of Carl Becker, the Cornell historian, according to which,

> any significant political philosophy is shaped by three different but closely related influences . . . the "climate of opinion"—those fundamental presuppositions which in any age so largely determine what men think about the nature of the universe and what can and cannot happen in it, and about the nature of man and what is essential to the good life. The second influence is more specific: it derives from the particular political and social conflicts of the time, which dispose groups and parties to accept a particular interpretation of current ideas as a theoretical support for their practical activities. . . . The third influence . . . derives from the mind and temperament of the individual who gives to the political philosophy its ordered literary form. . . . Its value for other times and places will depend upon the extent to which the general presuppositions upon which it rests . . . express some enduring truth about nature and the life of man.[61]

Becker's *Declaration of Independence* had concluded that "to ask whether the natural rights philosophy of the Declaration of Independence is true or false is essentially a meaningless question."[62] In 1943 Becker apparently, but only apparently, backwatered to the extent of saying that "in respect to fundamentals Jefferson's political philosophy is still valid for us."[63] That Becker merely accommodated the expression of his thought to the patriotic winds is suggested by the fact that he never abandoned, before or during World War II, his historical relativism.

Becker's letters will aid us in understanding how Rossiter's authority interpreted a central, perhaps the central, writing in the American way of life. "I am writing a book," said Becker, "on the Declaration of Independence in which my chief task is to show where the Natural Rights philosophy came from and where it went to and why. This last takes me into the slavery controversy."[64] Explaining where the "Natural Rights philosophy . . . went to and why," Becker wrote that Calhoun,

> seems to me . . . the Moses that led them [pro-slavery advocates] out of the Natural Rights wilderness. His definition of Nature in the *Disquisition* did the business. . . . This was to identify the natural with the historical and the prescriptive, and the natural rights of the slave were thus the same as his legal rights, which weren't many. . . . In general it is marvelous how similar the whole pro-slavery philosophy is to that of the historic-rights school on the continent.[65]

Becker, Rossiter's authoritative interpreter of the American political tradition, denied the possibility of enduring and objective political truths and asserted that Jefferson's natural rights doctrine had been "refuted."[66]

Becker admitted of no return to an earlier understanding of national purpose:

> the facts may be determined with accuracy; but the "interpretation" [of political or moral] doctrine will always be shaped by the prejudices, biases, needs of the individual and these in turn will depend on the age in which he lives.[67]

George Sabine ably drew the implications of Becker's position for the American way of life, the American political tradition, and liberal democracy: "Liberal democracy, as it turned out, like communism and fascism was an ideology,"—one available prejudice among others.[68] Lest there be any misunderstanding of what it meant to be "raised in the American tradition" along Beckerian lines, let us conclude this account of Rossiter's theoretical guide with the complaint of "Five Unhappy and Bewildered Freshmen," who had informed the *Cornell Daily Sun* that their first term was ending without their understanding the purpose of college education any better than they had in September.[69] Becker defined the purpose of liberal education in the *Daily Sun:* "I think that a philosophy of life, whether Christian or other, is what a student should mainly seek in his college course."[70] Becker's definition of the meaning of life informs us of the "philosophy of life" that coexisted with his historical relativism: "Meaning of Life = the meaning of Life is that we should be always seeking the meaning of Life without ever finding it."[71] In sum: the primary restraints upon Rossiter's President are moral ones. The moral emptiness of these restraints and of the concept of the national purpose is quite possibly related to the moral emptiness of the historical relativism Rossiter adopted from Carl Becker.

After announcing the exhaustion of America's originally "profound sense of purpose," Rossiter concluded that,

> as an historian, I am bound to point out that this country stands on shaky historical and cultural ground from which to launch a new search for a national mission and then to pursue it.[72]

"Where, then, are we to find this . . . new sense of national purpose . . . ?[73] "It has now become the destiny of this nation," said Rossiter, "to lead the world . . . through cooperation to confederacy to federation and at last to a government having power to enforce peace. . . . This, surely, is the second American mission" that "will have to be voiced by a line of plain-talking Presidents."[74] The logic behind Rossiter's understanding of the new national purpose would seem to be the following: peace is good because it avoids or minimizes the pain and suffering that accompanies war. Pain and suffering are unqualifiedly bad because they are the antithesis of pleasure. If the priority of peace rests on the priority of pleasure over pain and suffering, then Rossiter's case for world government is based on hedonism. However that may be, he avoids discussing how a world government with the "power to enforce peace" would or could permit individual nations, such as the United States, to judge of threats to their liberties and to defend them. The possibility that a world government with the "power to enforce peace" also entails far-reaching regimentation is nowhere grasped in Rossiter's essay on the new national purpose. Rossiter rarely concedes the possibility that the "total picture of the office drawn in this book has been perhaps more cheerful than it should be" (231). "We do," he conceded,

> have a right to worry about occasional abuses of power. The President is in a position to do serious damage, if not irreparable injury, to the ideals and methods of American democracy. Power that can be used decisively can also be abused grossly. (44)

These occasional warnings deviate from Rossiter's rose-colored analysis of, say, impeachment: "I predict confidently that the next President to be impeached will have asked for the firing squad by commiting a low personal rather than a high political crime—by shooting a Senator, for example" (49). Rossiter's argument finally reduces to circular reasoning: Presidential power is benevolent and undangerous to liberty because the people support it; and they support Presidential power because it is benevolent and undangerous to liberty:

> I may well be accused of begging the question of dictatorship by saying that the American system simply would not permit

> it, but I know of no better way to underline the impossibility of our spawning and then succumbing to a Perón or a Batista than to point to the history and people and climate of opinion of the United States and let it go at that. (43)

As he said in another context, "the final greatness of the Presidency lies in the truth that it is not just an office of incredible power but a breeding ground of indestructible myth" (103).

Rossiter's work itself is a subtreasury of myths, among the most important of which is the Whig theory of history described by Butterfield. Rossiter tended to stress "certain principles of progress in the past and to produce a story which is the ratification if not the glorification of the present."[75] He divided the world "into the friends and enemies of progress" or, more precisely, into the supporters and "the opponents of the strong Presidency."[76] His studies of the "Presidency in History" and the "Modern Presidency" demonstrated the working of an "obvious principle of progress," the "inevitability of the upward course of the Presidency."[77] Rossiter tried to run in the same harness two horses that pulled in opposite directions: the Whig interpretation, based on the trans-historical notion of progress, and historical relativism, according to which the notion of progress is the historically conditioned offspring of a specific time, place, set of circumstances or "climate of opinion." Progress and historical relativism are not only logically independent but logically incompatible ideas.

It remains only to refer to the subordinate myths of Rossiter's Presidency, what Alfred DeGrazia has called fictions or large exaggerations of the real Presidents.[78] The "central myth," from which the derived myths create a "veritable fairyland," is "wrapped up in the fictions of a single heroic leader, which defies the truth of the normalcy of the typical President and the collectivity of his behavior." "Trustee of the Nation," "Freedom Boss," "Advocate of the Public Interest," and "Majority (Minority) Champion" exemplify some myths, which have their parallels in Rossiter's work, that DeGrazia pitilessly exposes. One may quarrel with some of DeGrazia's criticisms and yet applaud his effort to remove tacit assumptions of the strong Presidency persuasion from the "given" to the realm of discussion.

Rossiter's criteria for evaluating Presidents changed from quality to quantity in his chapters on the "Presidency in History" and the "Modern Presidency." The former discussed six Presidents from Washington through T.R. who symbolized some "virtue" revered by Americans (102). The latter chapter compared F.D.R.'s, Truman's, and Eisenhower's "strength" and the "new dimensions" of strength or power added by these incumbents (104). The appearance of Neustadt's work seemed to go far towards meeting the call for "new standards" of Presidential performance, especially in its tacit concurrence with Rossiter's edict that the intellectual and political "war . . . over the future of America. . . . . over the American way of life" was "now pretty well decided" (247). Accordingly, the quest for "new standards" of Presidential performance could begin by taking for granted an understanding of the "American way of life" and then minutely focusing on Presidential technique without the intrusion of normative perplexities.

## III

As an economist with the O.P.A. (1942), a staffer in the Bureau of the Budget (1946-1950) and the White House (1950-1953), Neustadt is the first of the authors under review who played more than a consultant's role in the civilian national government. A self-identified Democrat, he chaired the Platform Committee of the 1972 Democratic Convention. The audience of his work includes future Presidents and those concerned with the quality of Presidential leadership. The book implicitly assumes among potential Presidents the equally high distribution of decency, moderation, and dedication to promoting constitutional values. As to whether anything helpful might be learned from a study of the pre-twentieth century Presidency, he writes that "our recent situation is to be compared . . . with aspects of the Civil War. Abraham Lincoln is

much closer to us in condition than in time . . . " (5). Neustadt's cases, however, are limited to the post-1932 period; he shunts aside the intriguing question of whether his findings apply to an earlier President close to us in "condition." The limited time span of his cases would prevent him from rebutting the contention that he has focused upon the Presidency in a pathological or declining condition.

The documentation of Neustadt's work includes "widely publicized" cases described elsewhere or given "relatively detailed" treatment in the text, interviews with some members of F.D.R.'s family, "the recollections of my father's friends and of my own acquaintances who served in his Administration," and interviews in the Eisenhower Administration with "men who had the contacts I did not" (Preface). The author leaves unclear just how he sifted retrospective justification from these "recollections" and interviews. The quality of his documentation is admittedly uneven:

> One cannot assess Eisenhower's motives with the same assurance one can bring to F.D.R.'s .... Eisenhower . . . is only to be known, as yet . . . by what he has said publicly and by what men around him will say privately. Appraisal on the basis of such sources calls for caution. (163)

Neustadt's thesis heavily depends on the reader's acceptance of his interpretation of Eisenhower's motives and performance, for Neustadt's Eisenhower is the foil to Neustadt's Roosevelt. In *Nixon Agonistes* Gary Wills, who is no friend of modern Presidents, found Eisenhower's tenure one marked by skillful craftsmanship.

Commerce Secretary Charles Sawyer, a participant in the 1952 steel seizure dispute, has charged that Neustadt made no attempt to interview him, committed important errors of fact and that later scholars have uncritically accepted Neustadt's account.[79] Of perhaps more importance than the documentation of Neustadt's cases is their relationship to his theory of Presidential power: if he extracts the theory partly from the case studies, the theory cannot be assessed and vertified by those same case studies.[80]

Neustadt's work concedes the existence of "many ways to look at the performance of an American President" (196). We focus first on some "ways" that he rejects. His subtitle, "politics of leadership," opens the question of leadership, which includes "the sharpening of spirit and of values and of purposes" (2). Neustadt, however, drops the President's relation to the regime's spirit, values, and purposes, and his omission of the symbolic aspects of Presidential leadership may exaggerate Presidential weakness.[81]

Neustadt relegates public law into the "habit background" of the Presidency by distinguishing "powers," the supposed theme of public law, from power in this way: powers: formal constitutional, statutory or customary authority: power: influence (217, n. 1). The text collapses this tidy distinction when Neustadt says, in effect, that "powers" are an important source of power. "Presidential 'powers' may be inconclusive when a President commands, but always remain relevant as he persuades. . . . A President's authority and status give him great advantages in dealing with the men he would persuade" (34-5). Even if " 'powers' are no guarantee of power," they can generate power and some attention to the public law of the Presidency is, therefore, in order even in a work that "has no other objective than to clarify the nature of the search for personal power" (Preface, 10).

Leadership also refers to governmental action; "not action as an outcome but his impact on the outcome is the measure of the man" (2). "The mark of leadership" is "effective influence upon the other men involved in governing the country" (2). His notion of "effective influence" implies intended causality and is to be clearly distinguished from considerations of improper, illegal, or immoral influence "upon the other men involved in governing the country." Neustadt's work differentiates itself from the stance of "Eastern liberals" as it subscribes to the "end of ideology" thesis (200-201). "Ideology," in which he seems to include moral ends, clamped a "lid on applied intelligence" and was, hence, to be avoided (201).

Neustadt's intention encompasses an overt "analytical" intention and a less explicit prescriptive intention. The "analytical" intention is to discover "what a President can

do to make his own will felt within his own Administration" (Preface). Neustadt's analytical argument may be divided into "preparation for office" and excelling in office. Who is "prepared" for the Presidency? "The men of politics who specialize in organization work and party offices scarcely qualify at all; governmental office is the relevant experience" (181). Neustadt avoids a stand on the oft-debated question of whether gubernatorial, Senatorial, or Executive branch experience is the most adequate preparation for "skillful use of presidential power" (182; *cf.* 161). The term "governmental office," then, is imprecise. What turns governmental experience into Presidential expertise is "something like that 'first rate' temperament" (183). Temperament, then, is the key, but Neustadt fails to investigate this thoroughly and systematically. His imprecision about the relevant areas and quality of pre-Presidential experience weakens his discussion of what prepares a President to excel in office.

Excelling in office depends on the President's "influence of an effective sort on the behavior of men actually involved in making public policy and carrying it out" (179). Presidential power "is the product of his vantage points in government . . . his reputation in the Washington community and his prestige outside." Four chapters discuss commands, persuasion, reputation, and prestige. Commands exemplify the least frequent type of decision. The text of the original 1960 edition omits consideration of outcomes or of rational action in the circumstances, and concentrates on the President's "impact on the outcome" (2). The 1968 Afterword on J.F.K., and the Cuban missile crisis of October 1962 concluded that when war or the threat of war impends, "judgement then becomes the mark of 'leadership' " (214). The addition of "judgement" to "influence," the earlier key criterion of performance, implies an abandonment of Neustadt's professed indifference towards "outcomes" or rational action in the circumstances. The 1968 Afterword hints at a revised criterion of performance: intended causality and rational action in the circumstances (judgement). If Neustadt had revised his 1960 text accordingly in 1968, his work would stand as a classic merger of Presidential operations and the prudential concerns of an enlightened citizen (rational action in the circumstances). As it is, however, the 1960 text discusses Presidential causality without the component of Presidential "responsibility" (208).

Neustadt identifies some elements of the power to persuade: reasoned argument; charm; status and authority; compromise and bargaining; the ability to induce men to identify the President's needs with their self-interest; anticipated reactions to the President; public prestige; and knowledge (Chapter II). He preserves a remarkable silence on what is surely another element of the power to persuade, coercion, whether "administrative blackjacking" of private business during World War II or the Kennedy Administration's use of the F.B.I. during the 1962 steel price crises.[82] The list of elements of persuasion is misleading in implying that at home coercion is never used. Thus the work that scorns other approaches ("academic images") as too genteel shrinks from some uncomfortable facts; perhaps, after all, the analogy between Neustadt and Machiavelli is overdrawn and strained[83] (155).

Neustadt's intimacy with President Kennedy has received more notice than how closely Neustadt's version of being President approached Kennedy's understanding of the office. Kennedy reportedly objected that Neustadt's characterization of the President "makes everything a President does seem too premeditated."[84] Discussing criticisms of F.D.R.'s evaluation of Soviet-American relations, Neustadt concludes that F.D.R.'s mind was "unfathomed" by even his close associates: "no one can claim certain knowledge of the way his mind was moving on the problems [of Soviet-American relations] his successor shortly faced" (234, n. 5). The search for "effective influence" is the excessively "premeditated" aspect of Neustadt's Presidency, and he resorts to the mystical or obscurantist cover, such as the "unfathomed" mind, when possibly questionable outcomes challenge the soundness of the President's "effective influence." In fairness, however, the Afterword on J.F.K. states that the American involvement with Saigon had been "rashly" enlarged: "Kennedy's decisions made it so." (209).

Neustadt emphasized the importance of

political forecasting and predicted that the conditions of the 1950s "will persist into the new decade" (61, 3, 191). This turned out to be an excessively optimistic forecast in light of the erosion of trust in national political institutions. For example, the University of Michigan's Institute for Social Research reported that in 1964 sixty-two percent of a nationally representative adult sample expressed a high degree of trust in the national government, but this percentage declined to thirty-seven percent by 1970.[85] Neustadt's forecast failed to identify the emerging malaise and so moved against rather than with the "grain of history" (196). At the Cambodian invasion Neustadt attacked the Nixon Administration's policies on Southeast Asia, charging that field commanders, the U.S. Embassy in Saigon, and the White House were circumventing the Executive branch in running the war.[86] In a television interview he called for legislative restraints upon the Commander-in-Chief! It could be argued, however, that President Nixon merely maximized his "effective influence," as Neustadt had recommended. In 1973 Neustadt, in effect, parried this objection in branding the Nixon "regime" . . . [as] the most corrupt."[87] "Even as the old constraints of prudence slackened, the White House staff fell under the control of senior aides so lacking in propriety as those we saw this summer on our television screens."[88] "Effective influence," then, may be distinguished by 1973 into corrupt and uncorrupt varieties. This hedging is as close as he comes to subordinating "effective influence" to political morality; it is far from clear how this prevailing stress on "effective influence" essentially differs from the outlook of those "senior aides" he deplored in 1973.[89]

Neustadt's prescriptive intention is to demonstrate the reasonableness of being favorably disposed towards Presidential power.

> If skill in maximizing power for himself served purposes no larger than the man's own pride or pleasure, there would be no reason for the rest of us to care whether he were skillful or not. More precisely, there would be no reason except sentiment and partisanship. (183)

"An expert search for presidential influence contributes to the energy of government and to the viability of public policy." Power skills confer "some protection" from "errors and bafflements" in policy appraisals (149). The ever present dispute among even subject-matter experts means that "the viability of policy may be the only ground on which a substantive decision can be reached" (185). And "in the sphere of viability our system can supply no better expert than a President intent on husbanding his influence." The "by products" of a President's search for personal influence mean that "in a relative but real sense one can say of a President . . . [that] what is good for the country is good for the President, and *vice versa*" (185).

Neustadt sees risks and temptations in the search for influence. Prefacing a hypothetical example, he warns that "oversensitivity to any one aspect ["power stakes and sources"] at any time might wreck the very things a President most wanted and leave him beneath the ruins" (150). His hypothetical example:

> To speculate, it appears possible that in the spring of 1951 a full-scale war with China would have heightened, momentarily, the response of home publics to the man then in the White House. But its net effect on Washington, on publics overseas, and on his own priority objectives could have been disastrous. Ultimately, one supposes, so would have been popular reaction in this country. Truman never put that sort of stock in popularity . . . (150)

Neutadt's hints in another place why Truman "never put that sort of stock in popularity" or, more precisely, why Truman, for all of his bluster and fustian, was a politically moderate President. "In Truman's image 'politics' was duty":

> His methods were the methods of a man who loved the Presidency less for what he could get out of it, by way of personal power or status, than for what he saw in it as an embodiment of government and party and of history apart from him . . . he could be quite insensitive to personal stakes, or even deprecate them, if he saw them, as beneath a President's dignity. (178)

For Neustadt Truman's methods sometimes impaired his influence because he loved the Presidency for what it embodied "apart from him." Neustadt's clear implication is that Truman was less than a model President because he subordinated his quest for influence to what existed "apart from him." Another observer might express Neustadt's point as follows: because Truman venerated what the Presidency embodied "apart from him," he moderated his quest for influence and, so, disdained the spurious popularity that a "full-scale" war with China might have produced.

Neustadt cites no actual example of overreach for power in the context of his hypothetical discussion of "full-scale" war. Hence, we may assume that the risk of overreach for power is low, if not altogether hypothetical. Reviewing Roosevelt II's quest for personal power, Neustadt concludes that F.D.R. "sometimes . . . miscalculated, but he rarely failed to make the calculation and he rarely lacked for time" (158). In short, he rarely failed to impose his will: "The classic instances of miscalculation on Roosevelt's part would seem to be his initial presentation of Supreme Court reform in 1937 and his careless choice of objects and tactics for his party 'purge,' so-called, in 1938" (234, n. 8). Of F.D.R. Neustadt writes: "No President in this century has had a sharper sense of personal power, a sense of what it is and where it comes from; none has had more hunger for it . . . " (161). The metaphor is of more than passing interest, for common sense ordinarily denominates an extreme "hunger" for food as gluttony, *i.e.,* a vice rather than a virtue. Neustadt hints why Roosevelt had a more extreme "hunger" for power than any twentieth century President:

> Roosevelt, *almost alone among our Presidents,* had no conception of office to live up to; *he was it.* His image of the office was himself-in-office. (162, italics added)

Neustadt's list of "miscalculations" omits an actual case where the President's power stakes and viable policy failed to coincide with a humane policy.

For instance, Neustadt omits the incarceration of Japanese Americans during World War II, an act that energized government and was, indeed, a most viable policy cementing the anti-Japanese consensus. And this was no small matter of short duration. According to Dillon Myer, the Director of the War Relocation Authority, the evacuation, continued exclusion from Summer, 1942 until January, 1945, and the detention for "varying periods" of over 100,000 persons, two thirds of whom were U.S. citizens by birth, "raised extremely grave questions as to the consistency of such a program with the requirements and prohibitions of the Constitution."[90] Myer, who ran the "relocation" or benevolent concentration camps, concluded that "all four of the major reasons advanced . . . for urging mass evacuations are found to be tenuous, highly arguable, or wholly unfounded."[91] The "evacuees" sustained "costly losses" in property.[92] The WRA property officer estimated that the evacuees owned $200 million worth of property at their evacuation; the United States paid total settlement claims of "$38,474,140, which of course did not cover all losses."[93] "Not more" than six out of ten evacuees returned to their former homes.

Moreover, we find that this treatment of Japanese Americans was urged upon a reluctant Attorney General Francis Biddle by a team of governmental lawyers outside the Justice Department and such luminaries as Earl Warren, Attorney General of California, and Walter Lippmann.[94] Morton Grodzins has remarked that "the presidential review of the mass evacuation program was a very hasty one."[95] Grodzins concluded that "the history of the evacuation policy could be called an episode from the totalitarian handbook."[96] "A true assessment of the policy was possible while it was being made, and a historian's hindsight was not needed to condemn it," even if F.D.R.'s preoccupation with the military side of the war somewhat mitigates his acceptance of the Japanese evacuation.[97] Certainly by any standard the Japanese evacuation meets the specifications of Neustadt's work: experts disagreed (Biddle vs. those governmental lawyers outside of the Justice Department); the President found a viable policy, but one can scarcely conclude that what benefited the President (*e.g.* prestige, reinforcement of the

domestic consensus against Japan) also benefited the country.

If what benefits the President may harm the country, "there would be no reason except sentiment and partisanship" to remain presumptively well disposed towards Presidential power and those skilled in maximizing it (183). In sum: Neustadt inadequately links the maximization of Presidential power to a larger purpose, the benefit of the country, partly because his burrowing into Presidential technique as perceived by the White House staff hides the void where a democratic understanding of government should be. The Vietnam War nourished a belief that Presidential power skills could produce other than prudent foreign policies, and the scholarly pendulum has swung towards a "reformist" approach of which Schlesinger's work is a recent and popular example.

## IV

Schlesinger characterizes his work partly as a narrative of the office's cycles of corruption, partly as an analysis of the war power, and partly as a prudential guide through the thicket of Watergate and impeachment. A thorough discussion of any one of these themes would be a tall order for one book; the three themes combined dissipate the analytical power and thrust of the book, whose most trenchant contribution to the literature is rhetorical, *i.e.*, the title. The Foreword contrasts, without explicating the terms or justifying the pejorative usage of "imperial," an imperial with a constitutional and a revolutionary Presidency. "The constitutional Presidency—as events so apparently disparate as the Indo-China War and the Watergate affair showed—has become the imperial Presidency and threatens to be the revolutionary Presidency" (viii). Schlesinger holds that "unless the American democracy figures out how to control the Presidency in war and peace without enfeebling the Presidency across the board, then our system of government will face grave trouble" (x). "Repent of follies related to the Presidency or else" is the inspirational message of this avowedly redemptive work.

Schlesinger might logically have began with the recent and contemporary scholarship that, he says, "contributed to the rise of the presidential mystique" (ix). He accords writings of "historians and political scientists" only passing mention in an important but inconspicuous passage: "some" unidentified scholars and politicans,

> had gone too far in the 1940s in devising theories of exclusive presidential power in foreign affairs because they agreed with the way one set of Presidents [*i.e.*, F.D.R. and Truman] had used that power. Now in the 1970s others (and sometimes the same ones) showed signs of moving too far in the opposite direction and devising theories of exclusive congressional power because they disagreed with international projects of another set of Presidents. One form of the common fallacy was that of converting political into constitutional questions. Another was that of converting political into institutional questions. (295-296)

Elsewhere Schlesinger cudgels the historian Thomas A. Bailey and Walter Lippmann, who "labored to give the expansive theory of the Presidency historical sanction" (124-125). It is highly doubtful that these authors and the others cited by Schlesinger (including himself) were the most important perpetrators of the "fallacies" of the result-oriented Presidential scholarship. None of the authors, after all, specialized in the Presidency; and they delivered their benedictions of Presidential power in other and larger contexts. Richard Neustadt, to take only one author who might have qualified for examination, received only the most cursory attention, in spite of Schlesinger's favorable citation of a scholarly paper critical of Neustadt's work (189, 433, n. 40). Schlesinger's failure to subject the scholarship to searching criticism is a serious flaw in a work that pretends to oppose a mistaken *"conception* of presidential power" (italics added, viii).

Schlesinger's explicit subject is the "shift in *constitutional* balance, . . . the appropriation by the Presidency, and particularly by the contemporary Presidency, of powers reserved by the Constitution and by long historical practice to Congress" (italics in the original, viii). The "imperial Presidency received its decisive impetus . . . from foreign policy; above all from the capture by the Presidency of the most vital of national

decisions, the decision to go to war" (ix). Schlesinger accordingly emphasizes the history of the war power in trying to demonstrate that the Presidency is "out of control and badly needs new definition and restraint." The United States needs a "strong Presidency *within the Constitution* (italics in original, x).

John Locke supplies the intellectual thread of Schlesinger's discussion of the war power,

> for the Founding Fathers were more influenced by Locke than by any other political philosopher; and, as students of Locke, they were well acquainted with Chapter 14, "Of Prerogative," in the *Second Treatise of Government. (8)*

Schlesinger finds in Locke an "emergency prerogative" permitting the executive to act without or against a law, but "only major threat creates this level of emergency—in American history only the Civil War, the Second World War, possibly the Cuban missile crisis" (323-324). This discovery of a limited "emergency" prerogative in Locke testifies more to Schlesinger's creativeness than to his understanding of the text. Accordingly, his account of the "Locke-Jefferson-Lincoln doctrine of prerogative" stands under suspicion as a sort of make-believe or "divination" (115-147).

Schlesinger's solution attempts to minimize partisanship by invoking Herbert Wechsler's " 'neutral principles'—principles . . . that were not shaped in response to a particular situation but worked all the time, transcending any immediate result involved" (297). These principles include the sharing between President and Congress of the war decision and "all great decisions of the government," comity and fluidity (297-298, 406). The discussion of a unified Congressional budget instructively applies the "neutral" principle:

> The Joint Study Committee's proposals seemed likely to result in the concentration of power over the budget in a *small conservative group,* generally hostile to social and urban interests and peculiarly susceptible to presidential persuasion and manipulation. (italics added, 463, n. 53)

He concludes that "it would be a mistake to cripple the Presidency at home because of presidential execesses abroad," and it is evident what he means by "crippling": to contain the political challenge to Schlesinger's sort of domestic Presidency constitutes the primary mission of this book. The author fails to bolster his case with the best available arguments because he leaves the primary mission implicit. This mission requires Schlesinger to state and defend the moral purposes he wishes Presidential power to serve.

He invokes "suffering situations" of various kinds in appealing for "quite as much as in the 1930s, a strong domestic Presidency" to compensate for weakened "bonds of national cohesion" and the "decay of traditional institutions and values"[98] (403,417). He neglects to inform us why the bonds loosened and the institutions and values decayed, so we are left wondering how the domestic Presidency enters the picture. If the President is spending two-thirds of his time on national security and foreign policies,

> what time remains for thoughtful design and implementation of Presidential domestic policies? Very little. Here, too, emergencies such as strikes, riots, or disasters tend to siphon off the most time.[99]

In Cronin's interviews with fifty former White House aides, "nearly two-thirds responded that, in their experience, such [program monitoring and evaluative] capabilities were 'poor,' 'terrible,' or virtually nonexistent." A study of the Economic Development Administration in Oakland, which was set up to provide public works and building loans in order to stimulate employers to hire minorities, attempts to show why the "implementation" of federal programs is "under the best of circumstances, exceedingly difficult."[100] The slowly accumulating results of research on implementing the domestic Presidency so far cast doubt upon Schlesinger's opinion that the domestic Presidency can work properly if only impoundment, executive privilege, etc. are controlled.

It may be, of course, that for Schlesinger the Presidency is only secondarily important as a way of coming to terms with the issues of the 1970s. His previous writings and, to a lesser extent, the present work testify that the American Presidency holds a peculiar fascination for him as for many other Ameri-

cans. Just as primitive tribes derive a feeling of indirect control from their belief in supernatural forces, so many Americans, including Schlesinger, derive confidence and a sense of indirect control of the present and the future from their faith in an omnicompetent Presidency. Alleviating political anxieties is, surely, an important, if often ignored, latent function of the imagined Presidency.

The once unchallenged orienting concepts of Presidency studies may increasingly be characterized as dissolving concepts because they no longer, if they ever did, address the concerns of enlightened citizens in the contemporary crisis of the Presidency. If such is the case, a critical stance "on the shoulders of giants," such as Rossiter, Neustadt, and Schlesinger, will perhaps supply us with some criteria for assessing new and forthcoming Presidential studies. First, does the work subject the competing approaches to searching critique in the absence of which it is scarcely meaningful to speak of "advances"?

Second, does the work state or point towards an explicit and non-arbitrary standard of political health in whose light Presidential power may be assessed? Only a little over a decade ago the understandings of the Presidency then in vogue either incorporated historical relativism (Rossiter) or, in the manner of positivism, altogether quarantined political morality (Neustadt). That these understandings supplied a handle for ridiculing student idealism may have been unintended by their authors. Nevertheless in the 1960s student questions such as, "What moral ends are served and ought to be served by Presidential power?," often met the unresponsive retort, "What would J.F.K. (or other heroes of power) say about that?" The orienting concepts of role and power tabooed normative inquiry about the Presidency, and so were themselves quarantined from the enlightened citizen's concern for political affairs.

Rossiter and Neustadt lacked a coherent substantive doctrine of the regime and tended to imply, in spite of superficial evidence to the contrary in Rossiter, that Presidential power as such was morally good. In the 1970s some critics of the Presidency believe that power, especially in national security and foreign affairs, is morally tainted. If, in fact, power is morally neutral, then a standard external to the actor and his power seeking is needed to appraise the uses and outcomes of Presidential power: such a standard might perhaps be elaborated from the Constitution and the political theory it reflects. Finally, does the work weigh the risks and failures as well as the opportunities and achievements of the American Presidency? The difficulties in Rossiter's, Neustadt's, and Schlesinger's understandings of the American Presidency may redirect our inquiries and replace the breathless enthusiasm of the result-oriented Presidency with disinterested moderation.

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## NOTES

1. *New York Times,* March 11, 1970, p. 30. This review-article was completed before the House Committee on the Judiciary voted articles of impeachment and President Nixon resigned.
2. George Reedy, *The Twilight of the Presidency* (New York: Mentor, 1970). p. 185.
3. OED, II, p. 467; *Webster's New International Dictionary Unabridged* (Springfield: G. C. Merriam, 1966), p. 416.
4. Alexander George made the latter suggestion in "Assessing Presidential Character," *World Politics,* Vol. XXVI (January, 1974), pp. 234-282, see especially pp. 279-280. His review of James Barber's *Presidential Character: Predicting Performance in the White House* (Englewood Cliffs, N.J.: Prentice-Hall, 1972) observes that: "Post-Watergate hindsight makes more noticeable the importance of old-fashioned moral character and the difficulty of incorporating this concept into character typologies such as Barber's" p. 249, n.21.
5. Edward Corwin, *French Policy and the American Alliance of 1788* (Princeton: Princeton University, 1916).
6. Robert Newton, "Edward S. Corwin and American Constitutional Law," *Journal of Public Law,* Vol. XIV (1965), p. 199; see the literature cited.
7. See the bibliography in Alpheus T. Mason, Gerald Garvey, eds., *American Constitutional History: Essays by Edward S. Corwin* (New York: Harper 1964), pp. 216-223. The author has edited *Presidential Power and the Constitution: Essays,* by Edward S. Corwin (Cornell University Press, forthcoming).
8. *National Cyclopedia of American Biography Current Volume G* (New York: James White, 1946), p. 511.
9. *American Constitutional History,* pp. 216-223.
10. Edward S. Corwin, "The Democratic Dogma and the Future of Political Science," *APSR,* Vol. XXIII (August, 1929), p. 570.
11. *Ibid.,* p. 571.
12. *Ibid.,* p. 591.

13. *American Constitutional History,* pp. 216-223.
14. *French Policy,* p. 367.
15. Edward S. Corwin, *The Twilight of the Supreme Court: A History of our Constitutional Theory* (New Haven: Yale, 1934), p. 122.
16. Edward S. Corwin, *Liberty Against Government: The Rise, Flowering and Decline of a Famous Juridical Concept* (Baton Rouge: Louisiana State University, 1948).
17. Newton, pp. 199-200.
18. Edward S. Corwin, "Our Constitutional Revolution and How to Round it Out," *Pennsylvania Bar Association Quarterly,* Vol. XIX (April, 1948), 261-284.
19. *Ibid.,* pp. 261-284.
20. Jonathan Elliot, ed., *The Debates in the State Ratifying Conventions on the Adoption of The Federal Convention* (5 vols.; Philadelphia: Lippincott, 1836), II, 513.
21. *Twilight of the Supreme Court,* p. 197, n. 7.
22. *Ibid.,* p. 97.
23. *Ibid.,* p. 98.
24. See Locke, *Second Treatise* (Laslett ed.), par. 123; *Twilight of the Supreme Court,* p. 197, n. 7, quoting Locke, *Letter Concerning Toleration, Works* (1727), II, 239.
25. *Twilight of the Supreme Court,* p. 197, n. 7.
26. *Ibid.,* p. 98.
27. Edward S. Corwin, *Total War and the Constitution* (New York: Knopf, 1947), p. 172.
28. Morton Frisch, "Franklin Delano Roosevelt," in Frisch, Richard G. Stevens, eds., *American Political Thought: The Philosophic Dimension of American Statesmanship* (New York: Scribner's, 1971), pp. 233-234.
29. *Total War,* p. 180, italics in the original.
30. Edward S. Corwin, "Our Expendable Constitution," *University of Illinois Bulletin,* Vol. LII (January, 1955), p. 20.
31. *Total War,* p. 178.
32. *Twilight of the Supreme Court,* p. 133.
33. Edward S. Corwin, *A Constitution of Powers in a Secular State* (Charlottesville, Va.: Michie, 1951), p. 87.
34. *Pennsylvania Bar Association Quarterly,* Vol. XIX (April, 1948), 278-282. *President: Office and Powers,* pp. 38, 297 ff.
35. Edward S. Corwin, "The Debt of American Constitutional Law to Natural Law Concepts," *Notre Dame Lawyer,* Vol. XXV (Winter, 1950), p. 282.
36. Edward S. Corwin, *Constitutional Revolution, Ltd.* (Claremont: Claremont Colleges, 1941), p. 115.
37. *Notre Dame Lawyer,* Vol. XXV (Winter, 1950), 258-284.
38. *Constitution of Powers in a Secular State,* p. 116.
39. *Liberty Against Government,* pp. 182-183.
40. See this point formulated in Neustadt, *Presidential Power,* p. 217, n. 1.
41. Edward S. Corwin, Louis Koenig, *The Presidency Today* (New York: New York University, 1956), p. 29.
42. Corwin, *A Constitution of Powers in a Secular State,* p. 82; see the source cited.
43. Edward S. Corwin, *National Supremacy: Treaty Power vs. State Power* (New York: Holt, 1913), p. 307.
44. Alpheus Mason, "In Memoriam Edward Samuel Corwin," *APSR,* Vol. LVII (1963), p. 790.
45. William G. Andrews, "The Presidency, Congress, and Constitutional Theory" prepared for delivery to the annual meeting of the A.P.S.A., September 7-11, 1971, p. 19; I am indebted to Professor Andrews' paper in spite of some disagreements with it.
46. *Ibid.,* p. 20.
47. *National Supremacy,* pp. 306-307.
48. Andrews, p. 18.
49. *Ibid.,* p. 19; see the literature cited.
50. *President: Office and Powers,* 1941 2nd edition, p. 308.
51. 1940 edition, p. 316; 1941 edition, p. 316; 1948 edition, p. 372.
52. Newton, p. 209.
53. "The Character of a Trimmer," in Halifax, *Complete Works* (Baltimore: Penguin, 1969), p. 50.
54. "There is no aspect of the Presidency which does not seem to me to invite . . . the assistance of political theory." Henry Fairlie, "Thoughts on the Presidency," *Public Interest,* (Fall, 1967), pp. 28-48; reprinted in Edward Keynes, David Adamy, eds., *The Borzoi Reader in American Politics* (New York: Knopf, 1971). p. 603.
55. Andrews, p. 17.
56. *Seedtime of the Republic* (1953); *Conservatism in America* (1955); *Marxism: The View from America* (1960); *The Federalist,* editor (1961); *Alexander Hamilton and the Constitution* (1964); *1787: The Grand Convention* (1966); and *The American Quest 1790-1860* (1971).
57. Neustadt, *Presidential Power,* Preface.
58. Clinton Rossiter, "We Must Show the Way to Enduring Peace," in *The National Purpose* (New York: Holt Rhinehart, 1960), p. 83; Rossiter was also a writer for the President's Commission on National Goals. See his "The Democratic Process," in the President's Commission on National Goals, *Goals for Americans* (Englewood Cliffs, N.J.: Prentice-Hall, 1960), pp. 61-78.
59. Clinton Rossiter, "The Pattern of Liberty," in Milton Konvitz, ed., *Aspects of Liberty* (Ithaca: Cornell University, 1958), p. 16.
60. *Ibid.,* p. 19; Introductory lecture, Government 355, 1964.
61. "Patterns of Study for American Political Thought," handout in Government 355, quoting Becker, *American Historical Review* (1943).
62. Carl Becker, *The Declaration of Independence* (New York: Vintage, 1942), p. 277.
63. "What is Still Living in the Political Philosophy of Thomas Jefferson," in Phil L. Snyder, ed. *Detachment and the Writing of History: Essays and Letters of Carl Becker* (Ithaca: Cornell University 1958), p. 232.
64. Michael Kammen, ed., *"What is the Good of History;" Selected Letters of Carl L. Becker 1900-1945* (Ithaca: Cornell University, 1973), p. 79.
65. *Ibid.,* p. 80.
66. *Declaration of Independence,* p. 265.
67. *"What is the Good of History?",* p. 157.
68. George Sabine, "Carl Lotus Becker," in Becker, *Freedom and Responsibility in the American Way of Life* (New York: Random, 1945), pp. xxxvi-xxxvii.
69. *"What is the Good of History?",* p. 112, n. 2.
70. *Ibid.,* p. 113.
71. *Ibid.,* p. 123.

72. "We Must Show the Way to Enduring Peace," pp. 82-83.
73. *Ibid.*, p. 85.
74. *Ibid.*, pp. 84-85, 92.
75. H. Butterfield, *The Whig Interpretation of History* (London: G. Bell, 1950 (1931), p. v.
76. *Ibid.*, p. 5; *cf. American Presidency*, p. 79.
77. Butterfield, p. 12; *cf. American Presidency*, p. 79.
78. Alfred DeGrazia, *Republic in Crisis* (New York: Federal Legal Publications, 1965), chapter v.
79. Charles Sawyer, *Concerns of a Conservative Democrat* (Carbondale: Southern Illinois University, 1968), pp. 274-277.
80. See George, p. 252, n. 22.
81. Peter Sperlich, "Bargaining and Overload: An Essay on *Presidential Power,*" in Aaron Wildavsky, ed., *The Presidency* (Boston: Little Brown, 1969), pp. 186-187.
82. Corwin, *President: Office and Powers*, pp. 248-250; Grant McConnell, *Steel and the Presidency 1962* (New York: Norton, 1963), pp. 89-90.
83. William T. Bluhm, *Theories of the Political System* (Englewood Cliffs: Prentice-Hall, 1965), pp. 246-259.
84. Quoted in Arthur Schlesinger, Jr., *A Thousand Days* (Boston: Houghton Mifflin, 1965), p. 679.
85. *New York Times*, November 5, 1971, p. 48.
86. *New York Times*, May 17, 1970, p. 7; May 8, 1970, p. 1.
87. Richard Neustadt, "The Constraining of the President," *New York Times Magazine*, October 14, 1973, p. 116.
88. *Ibid.*, pp. 115-116.
89. See the testimony of Gordon Strachan, former staff assistant to H.R. Haldeman, U.S., Senate, Select Committee on Presidential Campaign Activities, *Watergate and Related Activities: Phase I*, Book 6, 93rd Cong., 1st Sess., pp. 2436-2478.
90. Dillion S. Myer, *Uprooted Americans: The Japanese Americans and the War Relocation Authority During World War II* (Tucson: University of Arizona, 1971), p. 257.
91. *Ibid.*, p. 285.
92. *Ibid.*, p. 251.
93. *Ibid.*, p. 255.
94. *Ibid.*, pp. 19, 22.
95. Morton Grodzins, *Americans Betrayed: Politics and the Japanese Evacuation* (Chicago: University of Chicago, 1969 (1949), p. 272, n. 88.
96. *Ibid.*, p. 373.
97. *Ibid.*, p. 366.
98. See Kenneth Minogue, *The Liberal Mind* (New York: Vintage, 1968), p. 7.
99. Thomas Cronin, "Presidents as Chief Executives," in Cronin, ed., *The Presidency Reappraised* (New York: Praeger, 1974), pp. 236-237.
100. Jeffrey L. Pressman, Aaron Wildavsky, *Implementation* (Berkeley: University of California, 1937), p. xiii.

## REVIEW

Joseph A. Califano, Jr., *A Presidential Nation* (New York, W.W. Norton & Co., 1975) pp. 338.

Books written by former presidential staff members are an important and useful source of information and perspective on the presidency. Such memoirs usually provide valuable insight into the character of the president under whom the author served and they frequently increase our knowledge of the considerations and maneuvering that led to major presidential decisions. Often such writings tend toward polemicism, either in impassioned defense or bitter criticism of the former president. Occasionally, however, White House staff memoirs furnish incisive analyses of the condition of our central political institution. Joseph A. Califano's *A Presidential Nation* is of the latter genre. In addition, it goes beyond the presidency to provide a thoughtful critical commentary on the American political system.

Although Califano uses illustrations from the Johnson Administration to buttress his points, he maintains a remarkable degree of objectivity toward LBJ and is suitably modest about his own deep involvement in the Johnson White House. His own biases are openly acknowledged and they do not obstruct the clarity of his analysis or reduce the serious consideration which is due his proposals.

Much of Califano's commentary reiterates observations that political scientists have been making since 1950. What is unique and important about this book is that he arrived at these conclusions on the basis of his experience as a participant at the center of power. Unlike those of us who observe from the cloisters of academe, he has been there, he may well return in some capacity or another, and he is in a position to initiate actions that may lead to change. As a teacher and student of American government, it was a great pleasure and comfort to find reinforcement for many of my own ideas and values in *A Presidential Nation.* As an academic I regret somewhat the absence of documentation* and a bibliography, but it is a small defect in an otherwise valuable volume.

It is impossible to deal with all of the note-

*Where, for example, did he find Herman Melville's warning: "If there are any three things opposed to the genius of the American Constitution, they are these: irresponsibility in a judge, unlimited discretionary authority in an executive, and the union of an irresponsible judge and an unlimited executive in one person."